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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,550	12/02/2004	Jacobus Johannes Chretien Coumans	NL 020466	8388

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

HINES, ANNE M

ART UNIT	PAPER NUMBER
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2879

MAIL DATE	DELIVERY MODE
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04/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No.	Applicant(s)	
	10/516,550	COUMANS ET AL.	
	Examiner	Art Unit	
	Anne M. Hines	2879	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 April 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: 7 and 8.
Claim(s) objected to: 2-5.
Claim(s) rejected: 1 and 6.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attached Office Action.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

AmH

MS
MARICELI SANTIAGO
PRIMARY EXAMINER

Response to Arguments

Applicant's arguments filed April 3, 2007 have been fully considered but they are not persuasive.

With regard to claim 1, Applicant argues that the Kiesel reference does not disclose the requirement that portions of the current conductors which are in contact with the atmosphere are provided with means for protection against oxidation because the portion of Kiesel's current conductors that are in contact with the atmosphere are contact pins which are made entirely of a iron-nickel-chromium alloy.

The Examiner respectfully disagrees. Claim 1 requires that "current conductors made ***at least partly*** from molybdenum are connected to said electric element, which conductors are ***partly embedded in the seal*** and at least ***those portions which are in contact with the atmosphere*** outside the lamp are provided with means for protection against oxidation, characterized in that the means for protection against oxidation are chosen from the group of materials formed by chromium-manganese, chromium-cobalt, chromium-iron, and chromium-boron alloys" (emphasis added). Claim 1 does not require any of the portion of the conductor outside the seal of the lamp to be made of molybdenum, nor does claim 1 require that the means for protection against oxidation be anything other than the listed alloys. Since Kiesel does provide conductors that connect to the filament of the lamp that are *partly* molybdenum (see 5,6) and the portions of the conductors that are in contact with the atmosphere are provided with a means for protection against oxidation in the form of an iron-nickel-chromium alloy (ie

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stainless steel), Kiesel discloses the invention of claim 1. The Examiner also notes that the contact pins are part of the conductor that connects to the electric element.

With regard to claim 6, Applicant argues that both the Kiesel and Hardies references teach away from the claimed invention for several reasons: Kiesel teaches using the iron-nickel-chromium alloy as contact pins and not as a coating; Hardies teaches that nickel-based coatings are preferred for economic reasons; Hardies teaches that coating molybdenum contact pins with an oxidation-resistant material is disadvantageous.

The Examiner respectfully disagrees. Although Kiesel and Hardies teach other embodiments as preferred, they still disclose the structural elements relied upon by the Examiner in the 103(a) rejection of claims 1 and 6. Furthermore, Hardies teaches an oxidation resistant coating for molybdenum contact pins in order to prevent loss of electrical contact due to corrosion, Hardies teaches a number of materials as oxidation-resistant coverings for molybdenum contact pins, including inter alia nickel and chromium. Kiesel teaches an iron-nickel-chromium alloy, commonly known as stainless steel, as suitable for contact pins for a lamp and wherein this composition ensures reliable connections with an external voltage source. Therefore, it would have been obvious to one of ordinary skill in the art to use the material of Kiesel for the coating of Hardies in order to provide contact pins for a lamp that ensure a reliable connection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne M. Hines whose telephone number is (571) 272-

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2285. The examiner can normally be reached on Monday through Friday from 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anne M Hines
Patent Examiner
Art Unit 2879


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PRIMARY EXAMINER